

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- against -

JOHN DOE,

Defendant.

[illegible]

ORDER

98 Cr. 1101 (ILG) (BMC)

On April 26, 2012, I received two letters from Colleen Middleton, counsel to Richard Lerner. The first letter seeks clarification as to whether the disclosures allegedly made by Lerner and Richard Roe to the Miami Herald will be considered in the pending civil contempt proceedings. If so, Lerner requests the opportunity to respond. The second letter requests an adjournment of the evidentiary hearing scheduled for May 4, 2012, in light of the fact that the United States Attorney's Office has not yet made a decision as to whether it will prosecute Lerner and/or Roe for criminal contempt. Each of Lerner's requests is granted.

First, as a result of movant John Doe's letter of March 23, 2012, in which he supplemented his application for an Order to Show Cause with additional allegations against Lerner and Roe, the Court will consider that alleged conduct as part of these civil contempt proceedings. Lerner and Roe shall submit a response, if any, by May 11, 2012.

I also note that Lerner has filed a motion to withdraw as counsel to Roe, which Roe opposed on April 24, 2012. Lerner shall file a response to Roe's submission by May 11, 2012 as well.

Based on the foregoing, the evidentiary hearing currently scheduled for May 4, 2012 is adjourned *sine die*. The hearing will be rescheduled following the Court's review of these filings.

SO ORDERED.

s/ BMC

U.S.D.J.

Dated: Brooklyn, New York
April 27, 2012